

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

VICTOR MANUEL FONSECA,

Petitioner,

v.

MERRICK GARLAND, *et al.*,

Respondents.

CASE NO. 2:22-cv-01363-TSZ-JRC

ORDER FOR SERVICE AND  
RETURN, § 2241 PETITION

Petitioner has filed a petition for writ of habeas corpus under 28 U.S.C. § 2241. This Court, having reviewed the petition, hereby ORDERS as follows:

(1) If not previously accomplished, electronic posting of this Order and petitioner's § 2241 habeas petition shall effect service upon the United States Attorney of the petition and all supporting documents. Service upon the United States Attorney is deemed to be service upon the named respondent(s).

(2) **Within 30 days of the date this Order is posted**, respondent(s) shall show cause why a writ of habeas corpus should not be granted by filing a return as provided in 28 U.S.C. §

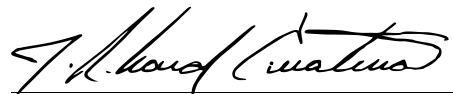
1 2243. As a part of such return, respondent(s) shall submit a memorandum of authorities in  
2 support of their position, and should state whether an evidentiary hearing is necessary.  
3 Respondent(s) shall file the return with the Clerk of the Court and shall serve a copy upon  
4 petitioner.

5 (3) The return will be treated in accordance with LCR 7. Accordingly, on the face of  
6 the return, respondent(s) shall note it for consideration on the fourth Friday after it is filed, and  
7 the Clerk shall note the return accordingly. Petitioner may file and serve a response not later than  
8 the Monday immediately preceding the Friday appointed for consideration of the matter, and  
9 respondent(s) may file and serve a reply brief not later than the Friday designated for  
10 consideration of the matter.

11 (4) If petitioner's custody status changes at any point during this litigation,  
12 **respondent(s) shall file a status update with the Court as soon as possible and no later than**  
13 **14 days after the change.**

14 (5) The Clerk is directed to send copies of this Order to petitioner and to the  
15 Honorable Thomas S. Zilly.

16 Dated this 28th day of October, 2022.

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18 J. Richard Creatura  
19 Chief United States Magistrate Judge  
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